



**CITY PLAN COMMISSION MEETING
CITY COUNCIL CHAMBERS, 1ST FLOOR
OCTOBER 17, 2013
1:30 P.M.**

MINUTES

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:30 p.m. Commissioner Nance present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner Loweree
Commissioner Nance
Commissioner Amoriello
Commissioner Ardovino
Commissioner Reveles

COMMISSIONERS ABSENT:

Commissioner Wright
Commissioner Grambling
Commissioner Borden
Commissioner Schauer

AGENDA

Commissioner Amoriello read the rules into the record. Philip Etiwe, Case Manager – Planning, read the revisions to the agenda into the record.

***ACTION:** Motion made by Commissioner Amoriello, seconded by Commissioner Ardovino, and unanimously carried to **APPROVE** the agenda as amended.

AYES: Commissioner Loweree, Nance, Amoriello, Ardovino, and Reveles

ABSENT: Commissioner Wright, Grambling, Borden, and Schauer

Motion passed.

I. CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Plan Commission on any items that are not on the City Plan Commission Agenda and that are within the jurisdiction of the City Plan Commission. No action shall be taken.

No action was taken.

II. CONSENT AGENDA

There were no items under the Consent Agenda.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Rezoning Applications:

1. **PZRZ13-00023:**
- Parcel 1: Portion of Clara A. Mundy Survey 248, City of El Paso, El Paso County, Texas
Parcel 2: Clara A. Mundy Survey 248, City of El Paso, El Paso County, Texas
Parcel 3: Clara A. Mundy Survey 250, City of El Paso, El Paso County, Texas
Parcel 4: Laura E. Mundy Survey 232, City of El Paso, El Paso County, Texas
Parcel 5: Laura E. Mundy Survey 235, City of El Paso, El Paso County, Texas
Parcel 6: Tract 3, Nellie D. Mundy, Survey 245 Abstract 10038
Parcel 7: Portion of Tract 3, Nellie D. Mundy, Survey 245, Abstract 10038, City of El Paso, El Paso County, Texas
Parcel 8: Section 10, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas, Parcel 9: Section 10, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas, Parcel 10: Clara A. Mundy Survey 249, City of El Paso, El Paso County, Texas
Parcel 11: Clara A. Mundy Survey 249, City of El Paso, El Paso County, Texas
Parcel 12: Portion of Section 9, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas
Parcel 13: Section 5, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas
Parcel 14: Section 5, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas
- Location: North of Transmountain Road and East of Desert Boulevard
- Existing Zoning: Parcel 1: M-1/sc (Manufacturing/special contract)
Parcel 2: P-MD (Planned Mountain Development)
Parcel 3-6: R-3 (Planned Residential)
Parcel 7: R-5/sp (Residential/special permit)
Parcel 8: R-3 (Residential)
Parcel 9: R-5/sp (Residential/sp)
Parcel 10: P-MD (Planned Mountain Development)
Parcel 11-13: R-3 (Residential)
Parcel 14: Planned Mountain Development
- Existing Use: Vacant
- Request: M-1/sc (Manufacturing/special contract), P-MD (Planned Mountain Development), R-3 (Planned Residential), R-5/sp (Residential/special permit)
- Proposed Use: To preserve and protect natural features of the mountain, hillside, arroyo, and desert flatland areas within the city. To promote conservation and restoration of these areas within and adjacent to urban and suburban development whether upon application of a private owner or for public land
- Property Owner: City of El Paso

Representative: EPWU/PSB/City of El Paso
District: 1
Staff Contact: Arturo Rubio, (915)-541-4633, rubioax@elpasotexas.gov

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

Conrad Conde with Conde, Inc., representing the Wheeling family, noted that they are not in opposition to the rezoning but requested clarification if the rezoning would affect their property in the future. Mr. Conde also inquired on the roadways as depicted on the MTP and how it relates to the proposed rezoning.

Rudy Valdez representing EPWU/PSB noted that they have no objection to this request, but did not understand why the item is being rushed.

Rischer Gilbert, representing CSM Realty, noted that there are many questions about the roads and utilities that are still unanswered and suggested that this item be postponed for two (2) weeks. She also inquired as to what guarantee the property owners have that the city is not rezoning part of their property.

***ACTION:** Motion made by Commissioner Nance, seconded by Commissioner Ardovino, and unanimously carried to **POSTPONE PZRZ13-00023 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF OCTOBER 31, 2013, WITH THE RECOMMENDATION TO MAKE ANY AMENDMENTS TO ITEM #1 THAT WOULD CLARIFY THAT IF A PRIVATE PROPERTY IN THIS AREA IS INADVERTENTLY REZONED THAT THIS PROPERTY WOULD REVERT BACK TO IT'S ORIGINAL ZONING AND THAT THE PHRASE GOVERNMENT SURVEY NOT BE USED.**

Motion passed.

2. **PZRZ13-00027:** Lots 17-20, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas
Location: 9951 Taj Mahal Street
Zoning: C-1/sc Commercial
Request: From C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract)
Existing Use: Vacant
Proposed Use: Automobile Sales
Property Owner: Juan Gandara
Representative: Jose Uresti
District: 4
Staff Contact: Andrew Salloum, (915)-541-4633, salloumam@elpasotexas.gov

***ACTION:** Motion made by Commissioner Amoriello, seconded by Commissioner Ardovino, and unanimously carried to **POSTPONE PZRZ13-00027 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF OCTOBER 31, 2013.**

Motion passed.

Subdivision Applications:

SUBDIVISION MAP APPROVAL:

NOTICE TO THE PUBLIC AND APPLICANTS:

The staff report for an agenda item may include conditions, exceptions, or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modifications, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

Major Preliminary:

3. **SUSC13-00006:** Montecillo Unit Six –A portion of Tract 4F2B, A.F. Miller Survey 215, and portion of Tracts 1 and 3A, John Barker Survey 10, and portion of Tract 7, I.F. Harrison Survey 54, City of El Paso, El Paso County, Texas
- Location: West of Mesa and South of Carousel
Property Owner: EPT Montecillo Development East, L.P.
Representative: Conde, Inc.
District: 8
Staff Contact: Nelson Ortiz, (915) 541-4931, ortiznx@elpasotexas.gov
(POSTPONED FROM 10/3/13)

***ACTION:** Motion made by Commissioner Amoriello, seconded by Commissioner Reveles, and unanimously carried to **POSTPONE SUSC13-00006 FOR FOUR (4) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF NOVEMBER 14, 2013.**

Motion passed.

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Other Business:

4. Discussion and action on the City Plan Commission minutes for:
October 3, 2013

***ACTION:** Motion made by Commissioner Amoriello, seconded by Commissioner Reveles, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR OCTOBER 3, 2013.**

Motion passed.

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5. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VI (Changes and Amendments), Section 20.04.380 (Application Requirements) of the El Paso City Code to allow property owned by the City of El Paso to be identified by reference to a government survey in an application for rezoning to the Urban Reserve District. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- Staff Contact: Alex Hoffman, (915) 541-4638, hoffmanap@elpasotexas.gov

Alex Hoffman, Lead Planner, gave a brief power point presentation and noted that there is a revised staff report for this item. He noted that items 1 and 5 are related but will be heard separately.

On December 12, 2012, the Open Space Advisory Board voted unanimously to recommend that City Council initiate a rezoning for land owned by the City and managed by the EPWU/PSB located in the Northwest Planning Area from its current zoning districts to the URD (Urban Reserve District).

The recommendation was made in an effort to encourage the implementation of the City's Comprehensive Plan, "Plan El Paso" and the Future Land Use Map to rezone the property to URD to better conform to what the Future Land Use Map has designated for that area.

On January 29, 2013, City Council voted unanimously to direct staff to follow OSAB's recommendation to rezone the subject property to the most compatible zone which is URD.

Prior to implementing this recommendation, city staff looked into the cost of rezoning. The cost of providing a metes and bounds survey map and concept plan for the 4,669 acres of land included in the rezoning case was found to be in excess of \$100k.

As a result, staff is proposing an amendment to meet the intent of this amendment and at the same time be cost efficient. On June 5, 2013, OSAB recommended approval of this proposed amendment.

Carlos Gallinar, Deputy Director for City Development, noted that there have been enough public hearings to bring this forward to the City Plan Commission.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

The following people spoke:

- Rischer Gilbert asked for clarification on the term "government survey".
- Conrad Conde with Conde, Inc., representing a property owner whose property is surrounded by the proposed rezoning is concerned about what this rezoning would do to their property. They have the same concern as Ms. Rischer regarding "government survey". Mr. Conde asked if he could get a zoning determination letter specifically for this property.

Richard Dayoub from the El Paso Chamber of Commerce noted that he is in agreement with Ms. Gilbert's and Mr. Conde's recommendations and is supportive of the amendment as is.

1ST MOTION:

ACTION: Motion made by Commissioner Amoriello, seconded by Commissioner Ardovino, and unanimously carried to **MOVE ITEM 5 FOR THE FOREFRONT, TO BE HEARD BEFORE ITEM ONE.**

Motion passed.

2ND MOTION:

ACTION: Motion made by Commissioner Reveles, seconded by Commissioner Ardovino, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), ARTICLE VI (CHANGES AND AMENDMENTS), SECTION 20.04.380 (APPLICATION REQUIREMENTS) OF THE EL PASO CITY CODE TO ALLOW PROPERTY OWNED BY THE CITY OF EL PASO TO BE IDENTIFIED BY REFERENCE TO A GOVERNMENT SURVEY IN AN APPLICATION FOR REZONING TO THE URBAN RESERVE DISTRICT.**

Motion passed.

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6. Discussion and Action on an Ordinance amending Title 20 (Zoning) of the El Paso City Code, by amending Chapter 20.02 General Provisions and Definitions to delete the definition of School and add Elementary and Secondary Schools, Chapter 20.08 (Appendix A), Table of Permissible Uses, by designating that a Special Permit shall be required for Community Recreational Facility, Library, Museum, and School-Elementary; amending Chapter 20.10, Supplemental Use Regulations, by adding a new Section 20.10.145, Civic Buildings, Public Spaces, and Educational Facilities; and providing for a penalty as provided in Chapter 20.24 of the Code.
Staff Contact: Carlos Gallinar, (915) 541-4556, gallinarrc@elpasotexas.gov

Carlos Gallinar, Deputy Director for City Development, gave a power point presentation and clarified that this ordinance addresses elementary schools but does not address middle and high schools. He addressed the impetus for this ordinance.

He talked about the different parameters included in the ordinance. Staff has had several meetings with different stakeholders. There was a steering committee made up of school district officials and city planning staff. Those meetings took place in the course of 10 months. At the request of the school districts, the city hired VLK Architects out of Houston. The steering committee was made out of every single major school district in the region, city staff which included Laura Kissack, who is a licensed architect, Karla Nieman, Assistant City Attorney, and Carlos Gallinar.

He went through the specifics and changes of the code. He noted some additional requirements for both civic buildings and educational facilities.

Mr. Gallinar answered questions from the commission.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO CITY CODE, BY AMENDING CHAPTER 20.02 GENERAL PROVISIONS AND DEFINITIONS TO DELETE THE DEFINITION OF SCHOOL AND ADD ELEMENTARY AND SECONDARY SCHOOLS, CHAPTER 20.08 (APPENDIX A), TABLE OF PERMISSIBLE USES, BY DESIGNATING THAT A SPECIAL PERMIT SHALL BE REQUIRED FOR COMMUNITY RECREATIONAL FACILITY, LIBRARY, MUSEUM, AND SCHOOL-ELEMENTARY; AMENDING CHAPTER 20.10, SUPPLEMENTAL USE REGULATIONS, BY ADDING A NEW SECTION 20.10.145, CIVIC BUILDINGS, PUBLIC SPACES, AND EDUCATIONAL FACILITIES; AND PROVIDING FOR A PENALTY AS PROVIDED IN CHAPTER 20.24 OF THE CODE.**

Motion passed.

Commissioner Loweree asked if staff could provide the commission with copies of the power point presentations shown at the City Plan Commission meetings. Staff agreed to comply with the commissioner's request.

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7. Discussion and action on the Drainage Design Manual as per Chairman Larry Nance.
Staff Contact: Carlos Gallinar, (915) 541-4556, gallinarrc@elpasotexas.gov

Commissioner Nance noted that he received several e-mails before the meeting. Copies of these emails were made available to the commission and staff.

1ST MOTION:

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Reveles, to **MOVE ITEM #7 TO BE HEARD AFTER ITEM # 1.**

Motion passed.

Kareem Dallo, Engineering Division Manager, noted that they have started vetting the revised green infrastructure guidelines with the public. He had his first meeting in the 2nd or 3rd week in October with the engineers. Some of the engineers that were present at that meeting are members of the Chamber of Commerce, other engineers were representing developers, Bobby Gonzalez, President of the American Society of Civil Engineers was also present. Everyone was in agreement with the Green Infrastructure but they need more time to establish the guidelines. He recommended that this item be postponed until mid-January, 2014. He will update the Commission on a bi-weekly basis.

***ACTION:** Motion made by Commissioner Nance, seconded by Commissioner Amoriello, and unanimously carried to **POSTPONE THE DRAINAGE DESIGN MANUAL FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF OCTOBER 31, 2013, WITH THE RECOMMENDATION THAT MR. KAREEM COME BACK AND UPDATE THE COMMISSION ON A BI-WEEKLY BASIS ON WHAT THE PLAN IS AND WHO WILL BE PART OF THE COMMITTEE AND PROVIDE A TIMELINE SCHEDULE.**

Motion passed.

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Mr. Gallinar noted that this will be Commissioner Reveles' last meeting. Commissioner Reveles thanked staff and the commission for the learning experience.

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ADJOURNMENT:

Motion made by Commissioner Amoriello, seconded by Commissioner Ardovino, and unanimously carried to adjourn this meeting at 3:09 p.m.

Approved as to form:

Carlos Gallinar, Executive Secretary, City Plan Commission